

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 10-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Curry et al. US 6,359,880.

1.1 Regarding claim 10, Curry teaches:

setting up of a first connection between the first subscriber device and the IVR system (gateway 45) (caller 49 calls gateway 45; figure 1; column 22, lines 14-23);

acceptance of the first connection, the first connection comprising a bearer for the transmission of information between the first subscriber device and the IVR system (column 22, lines 20-23);

setting up of a second connection between the IVR System and the second subscriber device through Internet 31 (column 22, lines 24-67; column 23, lines 1-5);

informing the second subscriber device about the setting up of the second connection via ringing the second subscriber device (column 23, lines 2-6);

notification of the ringing to the IVR system (column 23, lines 6-9);

notification of the ringing to the first subscriber device by transmitting a first signaling message from the IVR system (column 23, lines 6-13);

informing the first subscriber device about the ringing at the second subscriber device via a ringback (column 23, lines 6-13);

acceptance of the second connection by the Second subscriber device (column 23, lines 13-16);

notification of acceptance to the first subscriber device by transmitting a second signaling message (column 23, lines 16-26); and

termination of the ringback (column 23, lines 26-27).

1.2 Regarding claim 11, Curry teaches transmitting a call number of the second subscriber device to the IVR system from the first subscriber device (column 22, lines 20-23).

1.3 Regarding claim 12, Curry teaches connecting the first and second connections to a direct connection between the first and second subscriber in response to the acceptance of the second connection (column 23, lines 28-33).

1.4 Regarding claim 13, Curry teaches that the second signaling message is transmitted by the IVR system (column 23, lines 6-13).

1.5 Regarding claim 14, Curry teaches that the second signaling message (answering signal) is transmitted by the second subscriber device (column 23, lines 13-24).

1.6 Regarding claim 15, Curry teaches connecting the first and second connections to a direct connection between the first and second subscriber in response to the acceptance of the second connection (column 23, lines 28-33).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Curry et al. US 6,359,880 in view of Jones US 6,963,635.

2.1 Regarding claim 16, Curry teaches voice communication over internet 31, but fails to explicitly teach Session Initiation Protocol (SIP) in call setup.

However, Jones teaches INVITE in SIP during a call setup in VoIP (figure 2, column 6, lines 22-52).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Curry with Jones to use SIP in call setup between gateways 45 and 69 to obtain predictable results.

2.2 Regarding claim 17, examiner takes an official notice that SIP protocol was well known as being based on an IETF standard selected from the group consisting of RFC2543, RFC2543bisOx, RFC3261 and RFC3372.

3. Claims 18 and 19 rejected under 35 U.S.C. 103(a) as being unpatentable over Curry et al. US 6,359,880.

3.1 Regarding claim 18, Curry teaches ringing the second subscriber's (called party's) telephone, but fails to explicitly teach displaying information on the telephone. Examiner takes an official notice that it was well known in that art when a telephone was ringing, caller information was also displayed.

3.2 Regarding claim 19, Curry teaches ringback at the first subscriber's (calling party's) telephone, but fails to explicitly teach displaying information on the telephone. Examiner takes an official notice that it was well known in that art that ringback tone could be replaced with a text message, such as an advertisement sent from a service provider.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a) US 5,742,596 (Baratz et al).
- b) US 6,411,679 (Khasnabish).
- c) US 7,062,032 (Bloom et al).
- d) US 6,470,008 (Khuc).
- e) US 7,046,683 (Zhao).

5. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is 571-272-7545. The examiner can normally be reached on Monday - thursday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

/Simon Sing/
Primary Examiner, Art Unit 2614